

Hellerstein, A.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

John T. Metcalf, et al.

Plaintiffs,

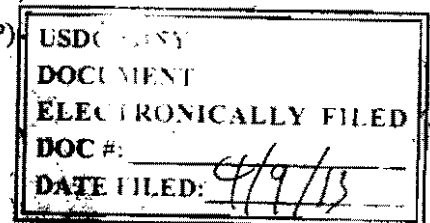
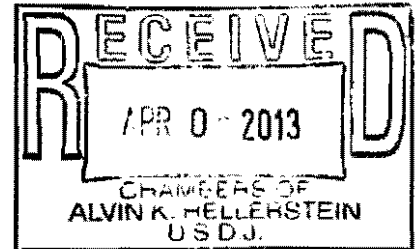
v.

Sophocles N. Zoullas, et al.,

Defendants.

ECF Case

11 Civ. 3996 (AKH) (HBP)



JOINT STATEMENT REGARDING AGREED BRIEFING SCHEDULE

Pursuant to the Court's January 31, 2012 Civil Case Management Plan in this action, the Parties jointly submit this statement regarding the briefing schedule applicable to Defendants' Motion for Summary Judgment (the "Motion"), which was filed with the Court on April 1, 2013. Subject to the Court's approval, the Parties have agreed to the following schedule:

1. Plaintiffs shall file their opposition to the Motion on or before May 31, 2013 (*i.e.*, 60 days from the submission of the Motion), unless such date is extended pursuant to Paragraph 3 below;
2. Defendants shall file their replies in support of the Motion, if any, on or before the later of July 1, 2013 or 30 days from the submission of Plaintiffs' opposition;
3. Plaintiffs shall give notice to the Defendants (or any non-parties who produced documents to Plaintiffs) by May 22, 2013 of any documents or deposition transcripts designed as "confidential" under the Stipulation and Agreed Confidentiality Order [ECF Doc. # 40], dated April 18, 2012 (the "Stipulation") that Plaintiffs intend to submit in connection with their opposition to the Motion so that Defendants may, pursuant to Paragraph 11 of the Stipulation,

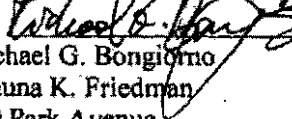
move for a protective order no later than May 29, 2013, to seal any such documents. If Defendants (and/or such non-party) make a timely motion for a protective order with respect to any documents proposed by Plaintiffs to be filed with the opposition, the May 31, 2013 deadline (set forth in Paragraph 1 herein) for filing an opposition to Defendants' summary judgment motion shall be extended until two business days after the motion for protective order is decided by the Court. If by May 29, 2013, no motion for protective order is filed, then Plaintiffs are not required to file the proposed documents under seal in connection with the opposition.

4. The Parties will appear for a hearing on the Motion on a date and time convenient for the Court.

Dated: April 8, 2013


Respectfully submitted,

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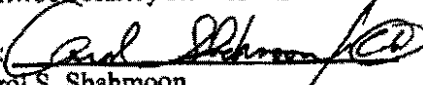
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DONE AND ORDERED

This  day of , 2013.


Hon. ALVIN K. HELLERSTEIN
United States District Judge